

(2) has adopted and is implementing adequate procedures for the effective enforcement of such State laws and regulations; and

(3) will keep such records and make such reports showing compliance with paragraphs (1) and (2) of this subsection as the Secretary may require by regulation.

Except as provided in subsection (c) of this section, the Secretary shall not enforce this chapter or the regulations hereunder in any State which has primary enforcement responsibility pursuant to this section.

**(b) Inadequate enforcement or administration by State; termination of responsibility by Secretary**

Whenever the Secretary determines that a State having primary enforcement responsibility pursuant to this section does not have adequate laws or regulations or is not effectively enforcing such laws or regulations, the Secretary shall notify the State. Such notice shall specify those aspects of the administration or enforcement of the State program that are determined to be inadequate. The State shall have ninety days after receipt of the notice to correct any deficiencies. If after that time the Secretary determines that the State program remains inadequate, the Secretary may terminate, in whole or in part, the State's primary enforcement responsibility under this chapter.

**(c) Request of State official**

**(1) In general**

On request of the Governor or other appropriate official of a State, the Secretary may terminate, effective as soon as the Secretary determines is practicable, the primary enforcement responsibility of a State under subsection (a) of this section. In terminating the primary enforcement responsibility under this subsection, the Secretary shall work with the appropriate State official to determine the level of support to be provided to the Secretary by the State under this chapter.

**(2) Reassumption**

Nothing in this subsection shall prevent a State from reassuming primary enforcement responsibility if the Secretary determines that the State meets the requirements of subsection (a) of this section.

**(d) Emergency conditions**

Nothing in this section shall limit the authority of the Secretary to enforce this chapter whenever the Secretary determines that emergency conditions exist that require immediate action on the part of the Secretary and the State authority is unwilling or unable adequately to respond to the emergency.

(Pub. L. 96-468, §10, Oct. 17, 1980, 94 Stat. 2233; Pub. L. 104-127, title IX, §914(a), Apr. 4, 1996, 110 Stat. 1186.)

**AMENDMENTS**

1996—Subsecs. (c), (d). Pub. L. 104-127 added subsec. (c) and redesignated former subsec. (c) as (d).

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 3803, 3804 of this title.

**§ 3810. Repealed. Pub. L. 104-127, title IX, § 914(b)(1), Apr. 4, 1996, 110 Stat. 1186**

Section, Pub. L. 96-468, §11, Oct. 17, 1980, 94 Stat. 2233, authorized Secretary to appoint and consult with advisory committees concerning matters within scope of this chapter.

**§ 3811. Issuance of regulations; maintenance of records**

The Secretary is authorized to issue such regulations and to require the maintenance of such records as he deems necessary to carry out the provisions of this chapter.

(Pub. L. 96-468, §11, formerly §12, Oct. 17, 1980, 94 Stat. 2233; renumbered §11, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

**PRIOR PROVISIONS**

A prior section 11 of Pub. L. 96-468 was classified to section 3810 of this title prior to repeal by Pub. L. 104-127.

**§ 3812. Authority in addition to other laws; effect on State laws**

The authority conferred by this chapter shall be in addition to authority conferred by other statutes. Nothing in this chapter shall be construed to repeal or supersede any State law prohibiting the feeding of garbage to swine or to prohibit any State from enforcing requirements relating to the treatment of garbage to be fed to swine or the feeding thereof which are more stringent than those under this chapter or the regulations hereunder.

(Pub. L. 96-468, §12, formerly §13, Oct. 17, 1980, 94 Stat. 2233; renumbered §12, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

**PRIOR PROVISIONS**

A prior section 12 of Pub. L. 96-468 was renumbered section 11 and is classified to section 3811 of this title.

**§ 3813. Authorization of appropriations**

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 96-468, §13, formerly §14, Oct. 17, 1980, 94 Stat. 2234; renumbered §13, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

**PRIOR PROVISIONS**

A prior section 13 of Pub. L. 96-468 was renumbered section 12 and is classified to section 3812 of this title.

**CHAPTER 70—ANIMAL CANCER RESEARCH**

- |       |   |
|-------|---|
| Sec.  |   |
| 3901. | Congressional findings.   |
| 3902. | Research program on cancer in animals and birds.                                      |
| 3903. | Annual program review to achieve coordination with National Cancer Institute program. |
| 3904. | Authorization of appropriations; restriction.   |

**§ 3901. Congressional findings**

Congress finds that—

(a) basic research on malignant tumors or cancers is essential to protect the health of domestic animals, poultry, and wildlife, including birds;

(b) carcinogenic agents have not been adequately identified in domestic animals, poultry, and wildlife management;

(c) basic research in diagnosis, prevention, and control of malignant tumors in animals and birds has not been adequately coordinated;

(d) significant theories of a common factor in malignant tumors, such as chorionic gonadotropin, have not been pursued in depth;

(e) research on diagnosis, prevention, and control of cancer in animals and birds will be beneficial in identifying any common factors in human and animal malignant tumors, if such exist; and

(f) it is imperative for the Department of Agriculture and the National Institutes of Health to coordinate and consult with regard to the research authorized under this chapter to achieve the maximum benefits from such research.

(Pub. L. 96-469, § 2, Oct. 17, 1980, 94 Stat. 2235.)

#### SHORT TITLE

Section 1 of Pub. L. 96-469 provided: "That this Act [enacting this chapter] may be cited as the 'Animal Cancer Research Act'."

### § 3902. Research program on cancer in animals and birds

The Secretary of Agriculture shall conduct a program of basic research on cancer in animals and birds at appropriate facilities within the Department of Agriculture or by grants to other qualified research facilities.

(Pub. L. 96-469, § 3, Oct. 17, 1980, 94 Stat. 2235.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3904 of this title.

### § 3903. Annual program review to achieve coordination with National Cancer Institute program

The Secretary of Agriculture and the Director of the National Institutes of Health shall annually review the research program conducted under this chapter in order to coordinate the program with the National Cancer Institute research program.

(Pub. L. 96-469, § 4, Oct. 17, 1980, 94 Stat. 2235.)

### § 3904. Authorization of appropriations; restriction

(a) There are hereby authorized to be appropriated to administer the program under this chapter \$25,000,000 for fiscal year 1982, and \$25,000,000 annually thereafter through the end of fiscal year 1986.

(b) Not more than 30 per centum of any of the amounts appropriated under this section in any fiscal year may be obligated for research under section 3902 of this title at facilities of the Department of Agriculture.

(Pub. L. 96-469, § 5, Oct. 17, 1980, 94 Stat. 2235.)

## CHAPTER 71—AGRICULTURAL TRADE SUSPENSION ADJUSTMENT

Sec.

4001. Trade suspension reserves.

Sec.

- (a) Gasohol feedstock or food security reserves; establishment.
- (b) Announcement of intention to establish reserves; contents.
- (c) Acquisition of suitable agricultural commodities; payment of transportation and storage costs; disposition of acquired commodities.
- (d) Acquisition of agricultural commodities suitable for providing emergency food assistance.
- (e) Use of Commodity Credit Corporation funds, facilities, and authorities.
- (f) Safeguards for protection of free market.
- (g) Replenishment of reserves with replacement stocks prohibited.
- (h) Effective date.

4002.

Alcohol processor grain reserve program.

- (a) Definitions.
- (b) Loans on stored grain; processors eligible.
- (c) Terms and conditions of processor grain reserve program and producer storage program.
- (d) Amount of loan.
- (e) Replacement of removed grain.
- (f) Purposes for which grain to be used.
- (g) Terms and conditions of loan; security; nonrecourse loans.
- (h) Payment for cost of storage; repayment of loans.
- (i) Announcement of terms and conditions of program.
- (j) Use of Commodity Credit Corporation facilities.
- (k) Authorization of appropriations; appropriation acts as determining amount and extent of loans; expiration of authority to make loans.

4003.

Study of potential for expansion of United States agricultural export markets; report to President and Congress.

4004.

Food bank special nutrition projects.

- (a) Distribution of agricultural commodities to community food banks for emergency distribution; availability of agricultural commodities; use of currently used distributorship systems; selection of food banks.
- (b) Application by food bank; record-keeping and internal procedures.
- (c) Quantities and types of agricultural commodities; regulations for designation of eligible participants.
- (d) Report to Congress; contents; recommendations.
- (e) Sale of food prohibited; fines and penalties.
- (f) Paperwork minimization and encouragement of participation.
- (g) Authorization of appropriations.

4004a.

Applicability of food stamp requirements.

4005.

"Fuel conversion price" defined.

### § 4001. Trade suspension reserves

Notwithstanding any other provision of law—

#### (a) Gasohol feedstock or food security reserves; establishment

Whenever the President or other member of the executive branch of Government causes the export of any agricultural commodity to any country or area of the world to be suspended or restricted for reasons of national security or foreign policy under the Export Administration Act of 1979 [50 App. U.S.C. 2401 et seq.] or any